

AMERICAN SEED TRADE ASSOCIATION



August 11, 2005

Ms. Katherine Benham
UDSA-AMS
TMD-NOP
Room 4008 – So, Ag Stop 0268
1400 Independence Avenue, SW
Washington, DC 20250-0200

Dear Ms. Benham:

Founded in 1883, the American Seed Trade Association (ASTA) is one of the oldest trade organizations in the United States. Its membership consists of about 850 companies involved in seed production and distribution, plant breeding, and related industries primarily in North America. ASTA members include seed producers of all types – conventional, organic and biotech. ASTA advocates science and policy issues of importance to the seed industry. Its mission is to enhance the development and free movement of seed worldwide.

These comments are written in response to Federal Register Notice (Doc. No. TM-05-07). Specifically, they relate to Item 6 of the Crops Committee Agenda – “Guidance on ‘Commercial Availability’ Organic Seed Requirements”.

Recommendation 1: ASTA supports the establishment of a national data base. However, ASTA believes that such a data base should be under the authority of the USDA National Organic Program and that participation by suppliers in the data base should be **voluntary**. The second sentence of the first paragraph should be changed to read, “Producers using non-organic varieties will need to provide justification for their use. The way the sentence is now written implies that non-organic varieties would also be listed on the data base. It is not clear to ASTA what meaning the term “resources” is as it is used in the first sentence of the second paragraph of Recommendation 1. This lack of clarity would likely result in a very uneven implementation of the recommendation across the country. The second sentence of the paragraph should begin with “Current listings” ASTA would also suggest that seed company catalogues also be considered as a source of information on available organic seed.

Recommendation 2: ASTA recommends that the words “and time” be inserted between site and the hyphen before specific agronomic and marketing characteristics. The sentence would read “...if it meets the operation’s required site and time specific agronomic and marketing characteristics.”

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Recommendation 3: ASTA recommends eliminating points B. and C. Given that equivalent has been defined in Recommendation 2 and written evidence of efforts to locate an equivalent variety is required in A., points B. and C. are not needed. In point A. the word equivalent should be added between source and organic seed in the first line to read "...of efforts to locate and source equivalent organic seed by contacting ...". In point D., ASTA recommends that the last sentence be changed to allow for third party testing. The sentence should read "Documentation of 'on farm' or equivalent third party testing recorded in the operation's organic system plan."

Recommendation 4: ASTA recommends that this be deleted. It is duplicative if recommendations 1, 2 and 3 are followed. In addition the language is not clear. For example, as written, the first sentence is in conflict with the second.

Recommendation 5: Point A. should be changed to read, "Evaluate the applicant's claim that no equivalent organic seed or planting stock was commercially available." Equivalent has been defined and the part of the sentence dropped is not needed. Neither, for the same reason, are points B. and C. needed. ASTA does recommend the addition of a new Point B. to read, "Certifiers will notify USDA, or its designated agent of all exceptions granted to allow the use of non-organic seed for organic crop production. USDA will release monthly reports of all exceptions granted by certifiers which allow the use of non-organic seed."

We will be glad to answer any questions you may have.

Regards,

Richard T. Crowder
President/CEO